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OFFICE OF PETITIONS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Tommy Petrogiannis Confirmation No.: 7187
Serial No.: 09/369,734 Art Unit: 2132
Filed: August 6, 1999 Examiner: Gurshman, Grigory
For: METHOD FOR PARALLEL Attorney Docket 9740-006 (old)
APPROVAL OF AN No: 107305-999005 (new)
ELECTRONIC DOCUMENT

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. 1.137(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions to revive the above-identified application under 37 C.F.R. § 1.137(b) on the ground that the application was unintentionally abandoned. On January 15, 2004, Applicant filed a Continued Prosecution Application (CPA) and Petition for Extension of Time in response to the Final Office action mailed July 16, 2003. Applicant's attorney had mistakenly believed that old rule 1.53(d)(1)(i)(A) still applied, permitting a CPA where, as here, the application had been filed prior to May 29, 2000. The CPA was subsequently treated by the USPTO as a Request for Continued Examination and rejected as improper because it was not accompanied by a submission as required by 37 C.F.R. 1.114. The application thus became unintentionally abandoned on January 17, 2004 for failure to properly reply to the Final Office Action mailed on July 16, 2003 (*i.e.*, the day after the expiration date of the period set for reply plus any extensions of time obtained therefor). A Notice of Abandonment was mailed by the USPTO on February 17, 2004.

Pursuant to 37 C.F.R. § 1.137, Applicant hereby petitions for revival of the above-identified application.

Pursuant to 37 C.F.R. § 1.137(b)(2), provisions for the required petition fee is provided herein below.

Pursuant to 37 C.F.R. §§ 1.137(b)(1) and 1.137(c), Applicant submits concurrently herewith a Request for Continued Examination and an Amendment.

Pursuant to 37 C.F.R. §§ 1.137(b)(4) and 1.137(d), no terminal disclaimer is required since the instant application was filed on or after June 8, 1995.

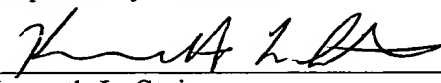
Pursuant to 37 C.F.R. § 1.137(b)(3), the entire delay in filing the required reply from the due date for the required reply until the filing date of a grantable petition under

37 C.F.R. §1.137(b) was unintentional. This petition is being submitted (1) within 3 months of the date Applicant was first notified that the application was abandoned, and (2) within 1 year of the date of abandonment of the application. Applicant respectfully requests that this Petition Under 37 C.F.R. §1.137(b) for Revival of an Application for Patent Abandoned Unintentionally be granted.

Pursuant to 37 C.F.R. § 1.137(b)(2) and § 1.17(m), it is estimated that a petition fee of \$665.00 is due because the Applicant is a small entity. Please charge the required fee to Jones Day Deposit Account No. 503013. A copy of this document is enclosed for accounting purposes.

Date: March 16, 2004

Respectfully submitted,


Kenneth L. Stein 38,704
(Reg. No.)
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